

Message Text

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65

ACTION EUR-12

INFO OCT-01 ISO-00 FEA-01 USIE-00 ERDA-07 AID-05 CEA-01

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC IMMEDIATE 7926

INFO AMCONSUL CALGARY

AMCONSUL VANCOUVER

AMCONSUL TORONTO

UNCLAS OTTAWA 4076

E.O. 11652: N/A

TAGS: ENRG, CA

SUBJ: NATIONAL ENERGY BOARD HEARING ON NORTHERN GAS
PIPELINE APPLICATIONS

1. NATIONAL ENERGY BOARD (NEB) HEARING ON APPLICATIONS FOR A NORTHERN GAS PIPELINE OPENED AT THE CHATEAU LAURIER HOTEL ON OCTOBER 27. IMMEDIATELY FOLLOWING THE FORMAL OPENING, NEB CHAIRMAN MARSHALL CROWE, WHO IS PARTICIPATING DIRECTLY IN THE HEARINGS AS CHAIRMAN OF THE THREE-MAN HEARING PANEL (OTHER TWO MEMBERS ARE SCOTLAND AND FARMER), READ A STATEMENT REJECTING SUGGESTIONS OF BIAS ON HIS PART STEMMING FROM HIS PREVIOUS POSITION AS PRESIDENT OF THE CANADA DEVELOPMENT CORPORATION, WHICH GOVERNMENT-OWNED AGENCY HAD BEEN AN EARLY PARTNER IN THE ARCTIC GAS CONSORTIUM.

2. UPON COMPLETION OF HIS STATEMENT, A ROLL CALL WAS MADE OF THE 80-ODD INTERVENORS IN THE HEARING TO DETERMINE WHETHER THERE WAS ANY OBJECTION TO CROWE'S HEARING THE
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APPLICATIONS. OBJECTIONS AND SIMILAR CONCERNS ("REASONABLE

APPREHENSION OF BIAS") WERE THEN VOICED BY FOUR PUBLIC INTEREST GROUPS: CANADIAN ARCTIC RESOURCES COMMITTEE, CONSUMERS ASSOCIATION OF CANADA, COMMITTEE FOR JUSTICE AND LIBERTY FOUNDATION, AND THE WORKSHOP ON CANADIAN ENERGY POLICY. WITH THESE OBJECTIONS, THE HEARING WAS ADJOURNED UNTIL OCTOBER 28. IN OCTOBER 28, NEB COUNSEL SOLOWAY ANNOUNCED A FURTHER POSTPONEMENT OF THE HEARING UNTIL THE MORNING OF OCTOBER 29.

3. ON THE MORNING OF OCTOBER 29, THE HEARING RE-CONVENED AND CROWE ANNOUNCED THAT, IN VIEW OF THE OBJECTIONS RAISED TO THE CONSTITUTION OF THE HEARING PANEL, THE NEB WOULD IMMEDIATELY SEEK "PROPER AND EXPEDITIOUS" JUDICIAL PROCEEDINGS IN THE FEDERAL COURT OF APPEAL. IN THE MEANTIME, CHAIRMAN CROWE STATED THAT THE HEARING ON THE PIPELINE APPLICATIONS WILL PROCEED.
PORTER

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